UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,382	05/03/2001	Jeffrey Richard Conrad	10006614-1	6078

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EXAMINER
BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/847,382	CONRAD ET AL.
	Examiner	**Art Unit**	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 April 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,9-14 and 16-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,9-14 and 16-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1-4, 6-14, 16-19 are pending in this Office Action.

Claims 1, 14, 17 are amended.

Claims 5, 15, and 20 remain cancelled.

Response to Arguments

Applicant's arguments filed in the amendment filed 4/3/06, have been fully considered

but they are moot in view of new grounds of rejection.

<u>Applicant's invention as claimed</u>:

**Claim 1-4, 6-14, 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable by
U.S. Patent No. 6,901,442 by Schwaller et al in view of U.S. Patent No. 5,889,520 by Glaser.**

Regarding claim 1, the Schwaller reference a method of providing information related to one or

more networks (Schwaller: col. 3, lines 21-45), the method comprising:

displaying <u>on a display</u> a plurality of filter criteria, wherein in the displayed criteria

comprises a list of a plurality of status levels <u>for user selection</u> (Schwaller: col. 11, lines 54-63;

col. 20, lines 41-65);

receiving a user selection of one or more of said <u>status levels displayed on the display</u>

(Schwaller: col. 20, lines 52-65);

retrieving network device information related to a plurality of network devices in said

one or more networks which satisfy said criteria (Schwaller: col. 20, lines 52- col. 21, line 7);

and

creating for display on a single display page a visual representation of said network

device information (Schwaller: Fig. 9A; col. 21, lines 55-67).

The Schwaller reference fails to teach a visual representation of network segments.

However, the Glaser reference teaches a visual representation including two or more network segment visually distinguishable from any other at least one network segments included in the visual representation by indicia (Glaser: Fig. 6), wherein said visual representation of each of said network segments comprises a plurality of icons representing network devices which satisfy said filter criteria (Glaser: col. 2, lines 27-40; Fig. 6; col. 8, lines 55-65), and wherein said visual representation illustrates connectivity of said displayed plurality of network devices and said two or more network segments (Glaser: Fig. 6) in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of providing information related to networks as taught by Schwaller to include visually distinguishable network segments as taught by Glaser in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

Regarding claim 2, the method of claim 1, wherein said retrieving network device information comprises:

retrieving network segment information for each of said network devices which satisfy said filter criteria (Schwaller: col. 20, lines 52-67), said network segment information defining which of said network segments to which said each of said network devices is physically connected (Glaser: col. 7, lines 35-42; col. 8, lines 15-24).

Regarding claim 3, the method of claim 2, wherein said creating a visual representation of said network device information comprises:

creating said visual representation based on said retrieved network segment information (Schwaller: col. 14, lines 52-67).

Regarding claim 4, the method of claim 3, wherein said network segment information includes information related to said one or more segments, and wherein said creating a visual representation of said network device information comprises:

creating said visual representation whereby said visual representation is divided into said one or more segments (Glaser: Fig. 6).

Regarding claim 6, the method of claim 4, wherein said creating a visual representation of said network device information further comprises:

creating said visual representation such that said visual representation includes an indicia indicating a division between each of said network segments (Glaser: Fig. 6).

Regarding claim 7, the method of claim 4, wherein said creating a visual representation of said network device information further comprises:

creating said visual representation whereby said visual representation illustrates connectivity of said network devices (Glaser: col. 7, lines 35-42; Fig. 6).

Regarding claim 8, the method of claim 4, wherein said creating a visual representation of said network device information further comprises:

creating said visual representation whereby said visual representation illustrates connectivity of said segments (Glaser: col. 7, lines 35-42; Fig. 6).

Regarding claim 9, the method of claim 1, wherein said retrieving network device information further comprises:

retrieving said network device information from a database (Schwaller: col. 11, lines 54-58).

Regarding claim 10, the method of claim 1, wherein said receiving at least one filter comprises:

receiving said filter information whereby said filter information includes at least one node type (Schwaller: col. 13, lines 32-51).

Regarding claim 11, the method of claim 10, wherein said receiving at least one filter comprises:

receiving said filter information whereby said filter information includes at least one node attribute (Schwaller: col. 13, lines 32-51; col. 14, lines 42-65).

Regarding claim 12, the method of claim 11, wherein said at least one node attribute comprises at least one node status, and said receiving at least one filter comprises:

receiving said filter information whereby said filter information includes at least one status level (Schwaller: col. 20, lines 41-65).

Regarding claim 13, the method of claim 1, further comprising:

displaying said visual representation (Schwaller: 9A).

Regarding claim 14, a network management node connected to one or more networks (Schwaller: col. 10, lines 7-15), said network management node comprising:

a plurality of modules stored on a computer readable medium (Schwaller: col. 9, lines 65-col. 10, line 14); and

a database storing information related to a plurality of network devices in said one or more networks (Schwaller: col. 11, lines 50-58), wherein said plurality of modules are operable to

display <u>on a display</u> a plurality of filter criteria (Schwaller: col. 20, lines 52-65), wherein in the displayed criteria comprises a list of a plurality of status levels <u>for user selection</u> (Schwaller: col. 20, lines 52-65), receive a user selection of one or more of said <u>status levels</u> <u>displayed on the display</u> (Schwaller: col. 20, lines 52-65); store filter information regarding said selection of filter criteria in the database (Schwaller: col. 11, lines 53-58); retrieve network device information based on said information from said database (Schwaller: col. 11, lines 53-66); and create a visual representation of said network device information (Schwaller: Fig. 9A),

The Schwaller reference fails to teach a visual representation of network segments.

However, the Glaser reference teaches a visual representation including two or more network segment visually distinguishable from any other at least one network segments included in the visual representation by indicia (Glaser: Fig. 6), wherein said visual representation of each of said network segments comprises a plurality <u>of icons representing</u> network devices which satisfy said filter criteria (Glaser: col. 2, lines 27-40; Fig. 6; col. 8, lines 55-65), <u>and wherein said</u>

visual representation illustrates connectivity of said displayed plurality of network devices and said two or more network segments (Glaser: Fig. 6) in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of providing information related to networks as taught by Schwaller to include visually distinguishable network segments as taught by Glaser in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

Regarding claim 16, the network management node of claim 14, further comprising:

a network interface operable to transmit said visual representation of said network device information over the Internet (Schwaller: col. 11, lines 43-53; col. 12, lines 20-33).

Regarding claim 17, a computer readable medium on which is embedded a program, the program performing a method for providing information related to one or more networks (Schwaller: col. 9, lines 65- col. 10, line 15), the method comprising:

displaying on a display a plurality of filter criteria, wherein in the displayed criteria comprises a list of a plurality of status levels for user selection (Schwaller: col. 20, lines 52-65);

receiving a user selection of one or more of said status levels displayed on the display (Schwaller: col. 20, lines 52- col. 21, line 7);

retrieving network device information based on said selected criteria, said network device information being related to one or more network devices in said a plurality of networks (Schwaller: Fig. 9A; col. 21, lines 55-67); and

creating a visual representation of said network device information (Schwaller: Fig. 9A; col. 21, lines 55-67),

The Schwaller reference fails to teach a visual representation of network segments.

However, the Glaser reference teaches a visual representation including two or more network segment visually distinguishable from any other at least one network segments included in the visual representation by indicia (Glaser: Fig. 6), wherein said visual representation of each of said network segments comprises a plurality of icons representing network devices which

satisfy said filter criteria (Glaser: col. 2, lines 27-40; Fig. 6; col. 8, lines 55-65), and wherein said visual representation illustrates connectivity of said displayed plurality of network devices and said two or more network segments (Glaser: Fig. 6) in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of providing information related to networks as taught by Schwaller to include visually distinguishable network segments as taught by Glaser in order to provide a simplified view to optimize network resources (Glaser: col. 2, lines 13-24).

Regarding claim 18, the computer readable medium of claim 17, wherein said filter information comprises:

at least one node type (Schwaller: col. 13, lines 32-51).

Regarding claim 19, the computer readable medium of claim 18, wherein said filter information comprises:

node status, and at least one status level (Schwaller: col. 20, lines 41-65).

REMARKS

Applicant has amended the independent claims to emphasis status levels displayed and icons representing network devices to attempt to claim Figures 3 and 4 better.

Prior Art

U.S. Patent Application No. 5,606,664 by Brown et al teaches a network monitoring and managing service for visualizing strain on network devices.

U.S. Patent Application No. 6,687,832 by Harada et al teaches controlling topography views with management information col. 3, lines 47- col. 4, line 33.

U.S. Patent Publication Application No. 2002/0133584 by Greuel et al teaches health monitoring

of nodes on a network with a GUI monitor Fig. 2A and para 31-33.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-

3982. The examiner can normally be reached on 9:00-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155
brb

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER